

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS,
SEPTEMBER 18, 2007 AT 7:00 P.M.**

The City Council of the City of Leon Valley, Texas, met for a Regular City Council Meeting on the 18th day of September 2007 at 7:00 p.m., at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

REGULAR CITY COUNCIL MEETING - 7:00 P.M.

Call to order and Pledge of Allegiance.

Mayor Riley called the meeting to order at 7:00 p.m. and asked that the minutes reflect that the following members of Council were present: Manea, Reyna, Baldrige, Dean and Nelson.

City Manager Lambert, City Secretary Feutz, Fire Chief Irwin, Police Chief Wallace, City Accountant Wallace, Community Development Director Smith, and HR Officer/Assistant City Secretary Caldera were also present.

Mayor Riley welcomed U.T.S.A. students from Dr. Salas's political science class and asked visiting U.T.S.A. student Natalie Thomas to lead the Pledge of Allegiance.

Presentation to honor City Attorney Adolph "Jake" Jacobson.

Mayor Riley announced that City Attorney Jacobson was unable to attend the meeting and expressed her appreciation for the work the City Attorney had done for the City during his years of service with Leon Valley. She announced that the Certificate of Appreciation and a small token of Council's appreciation would be delivered to the City Attorney.

Presentation to honor retiring Election Judge Gayle Olenick.

Mayor Riley announced that Gayle Olenick was retiring from her services as the Election Judge for the City. She stated that Ms. Olenick had served with City elections for more than 32 years as an Election Clerk, and Alternate Presiding Election Judge, and finally as the Election Judge. Mayor Riley presented a Certificate of Appreciation and a clock to Ms. Olenick and thanked her for her many years of service.

Citizens to be heard and time for objections to the Consent Agenda.

Mayor Riley asked Councilmembers if they wished for anything on the Consent Agenda to be removed from that agenda for further discussion; hearing no one, she then asked if anyone in the audience wished to address the Council.

Resident Al Baldrige addressed Council and the audience reminding everyone of the upcoming fund raiser for the Historical Society of Leon Valley, the "Bloomin' Onion" to be held on Friday, October 26, 2007 at the Community Center. He stated that the dinner event provides funds to help with the restoration of the Huebner-Onion Homestead and invited interested parties to purchase \$35.00 tickets before they are sold out!

Resident Cynthia Rangel asked that the Huebner Creek bed be mowed behind El Verde Road and Jeff Loop. She said that area needed mowing and she stated that the flies and mosquitos

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were a problem.

Seeing no one else, Mayor Riley asked for a motion on the Consent Agenda.

Consent Agenda

**Consider approval of minutes of the Regular City Council Meeting of
September 4, 2007 (Feutz).**

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve the Consent Agenda as presented. Upon vote, Mayor Riley announced the motion carried.

REGULAR AGENDA

Consider M&C # 09-10-07 with attached ordinances - a request to set the 2007 Tax Rate for the Maintenance and Operation Fund at \$.456560 and the Interest and Sinking Fund at \$.070840 for a total tax rate of \$.527400 (Lambert).

City Manager Lambert addressed Council stating that following Council's approval of the FY 2008 Budgets, Council was being asked to approve the tax rate to support the Budgets.

A motion was made by Councilmember Baldridge, seconded by Councilman Reyna, that property taxes be increased by the adoption of a tax rate of \$0.527400 the M&C portion of which is .456560. A roll call vote followed: Manea, Reyna, Baldridge, Dean and Nelson for the motion and no one voted against the motion. Mayor Riley announced the M&O portion of the tax rate as presented was approved and the motion carried.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, that property taxes be increased by the adoption of a tax rate of \$0.527400 the I&S portion of which is .070840. A roll call vote followed: Manea, Reyna, Baldridge, Dean, and Nelson for the motion; no one voted against the motion. Mayor Riley announced the I&S portion of the tax rate as presented was approved and the motion carried.

Consider M&C # 09-11-07 with attached ordinance - a request to authorize the Community Development Department to accept a matching funds grant from the Texas Forest Service - Urban Forestry Partnership Grant Program, to obtain a tree inventory of Leon Valley and to authorize an associated Budget Adjustment.

Community Development Director Melinda Smith addressed Council stating that in July 2007, Council authorized the City Manager to apply for a matching funds grant in the amount of \$10,000 for the purpose of funding a citywide tree inventory, with the stipulation that the matter be brought back to Council for final approval prior to acceptance of the award. She stated that staff was notified that Leon Valley had been selected by the Texas Forest Service to receive the grant. She announced that two proposals were received by the City for the tree survey project: Davey Resource Group for \$22,000 and Burditt Consultants, LLC for \$21,000. Ms. Smith stated that Burditt Consultants proposed to inventory only street trees and then provide an urban ecosystem analysis using City Green GIS software. She stated that the Davey Resource Group had performed a tree survey in the area in 2003 with City Public Service and have notified staff

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that if the Heritage tree inventory is deleted from project tasks, it would reduce their costs from \$22,000 to \$9,000. Ms. Smith stated that most cities that have tree preservation ordinances have a tree inventory survey as the survey will assist in the review of tree survey site plans submitted for new projects.

Members of Council discussed their concerns for spending \$10,000 of City funds for a survey of trees, the number of undeveloped areas in the City and the number of existing trees on those properties, ideas for other volunteer groups who could perform the tree survey and the possibility of being able to apply for the same type of grant at a later date.

A motion was made by Councilman Reyna, seconded by Councilman Manea, to table the issue subject to call by the Chair. Upon vote, Mayor Riley announced the motion carried.

Public Hearing and discussion on the Citizens Neighborhood Progress Committee's charge/directive established February 6, 2007 and consider any action to update or amend charge.

Mayor Riley stated that at the last meeting, a citizen had asked if the Citizens Neighborhood Progress Committee (CNPC) had completed their mission. Mayor Riley reported that she researched the issue and reported that the CNPC was directed to bring recommendations for economic development to Council, which they did at the end of August and in early September. She asked Council for discussion on the continuance of the ad hoc CNPC, their role and if they may consider combining the CNPC with the Business Alliance Committee, which has also been directed to pursue economic development issues.

Councilman Reyna stated that he felt that the work of the CNPC should continue in working toward additional recommendations for economic development in the City. He stated that he felt staff should develop, with the City Attorney's approval, the educational materials for the upcoming election measure.

Members of Council discussed keeping the CNPC active and that the Committee had the potential to bring back the Section 4B Economic Development tax issue in 2008, and the idea of combining the Business Alliance Committee with the CNPC.

Resident Al Baldridge addressed Council reminding them that the ordinance that created the Business Alliance Committee (BAC) restricted the size of the BAC.

CNPC Chair Nancy Marin addressed Council expressing support for continuing the CNPC as a citizen-based group working to serve the City.

Resident Rudy Garcia addressed Council stating that he was member of both the Business Alliance Committee and the CNPC and recommended that both committees consider joining together and then they should make their recommendations to the Council.

Council discussion continued and recommended that both committees discuss joining the two groups to work on continued economic development and then invite both committees to make their recommendations to City Council.

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**Consider M&C 09-08-07 - a request to authorize additional funding for the Citizens
Neighborhood Progress Committee for expenditures to educate the public on the Street
Maintenance Sales Tax for the November 6, 2007 Special Election and other related
expenses - this item was tabled at the September 11, 2007 Special City Council Meeting.**

Mayor Riley reported on the definitions researched from the Texas Election Code regarding “political advertising” and a “measure”. Members of Council discussed that no pros and cons could be presented in election educational materials, costs of brochures versus postcards, not using call-outs, and costs associated with providing an educational brochure to inform the public of the purpose of the Special Election to be held November 6, 2007.

Councilmembers discussed authorizing an expenditure of up to \$3,000 for printed information and the associated legal fees, web page, and translations, subject to approval of the City Attorney. They also discussed whether an ad hoc committee can legally be given City funds to spend on items that must then be approved by the City Attorney.

A motion was made by Councilmember Baldrige, seconded by Councilmember Nelson to table any decision until either a special meeting or the next meeting and after receiving written advice from the City Attorney. Upon vote, the motion carried.

Discussion Agenda

Public hearing and discussion on Bandera Road mobility issues (Reyna).

Councilman Reyna invited Leroy Alloway, Director of Community Relations from the Alamo Regional Mobility Authority (ARMA), to address Council for an update on changes in regards to the Bandera Road transportation issues.

Mr. Alloway reported that the required Environmental Impact Statement will not be completed until the year 2010 -2011. He updated Council on the work of the Bandera Road Working Group. He informed them that a public hearing will be held for the draft Environmental Impact Statement. He stated that the ARMA has not decided to abandon or cancel the Bandera Road project, but it had put the Bandera Road Working Group on hold until after the Coordination Plan is finished and a better defined role is established for the Group.

Councilmembers asked questions about how the ARMA will continue with funding cuts from the Bexar County Commissioner’s Court. Mr. Alloway reported that a \$500,000 loan that was offered to the ARMA from the Court was transferred to public safety efforts by the Commissioner’s Court, but he reported that loans from Bexar County, the City of San Antonio and TXDOT are still available to ARMA for toll road projects such as Bandera Road.

Mayor Riley opened the public hearing and invited anyone in the audience to address Council.

Resident Rick Rangel reiterated support for no toll roads on Bandera Road in Leon Valley asked the ARMA to save their toll roads for the City of San Antonio.

Mayor Riley stated that the citizens appear to have no say on the tollways on Bandera Road according to the ARMA. Mr. Alloway stated that the only funding identified by TXDOT for Bandera Road improvements is from tolling. Mr. Alloway stated that their Board of Directors had

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heard that Leon Valley does not prefer an elevated toll road and that the City's resolution was part of the official record for the Environmental Impact Statement; however, they still want to be able to look at some elevated areas along the corridor.

Mayor Riley and the Council explained that the MPO had taken the City of Leon Valley out of the planned funding for road improvements for Bandera Road and stated that the City has been in contact with TXDOT and the MPO to get that corrected. Council acknowledged that the citizens and businesses of Leon Valley have made it clear that they do not support toll roads in Leon Valley and they expressed their hopes that Legislature will address the issues that will restore funding for roads in Texas and return the gas tax diversions to transportation issues.

Councilmembers discussed continuing to work with the MPO to get Leon Valley back into the funding plans. Councilman Reyna stated that the length of time before the Environmental Impact Statement is completed gives additional time for the City to continue to voice the concerns of its citizens against the tolling projects for Bandera Road.

Presentation and discussion on Trade and Market Days progress and financial report (Smith).

Community Development Director Smith addressed Council stating that she could provide Council a full fiscal year's report next month if they preferred to wait until then.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to table any discussion until the full report was ready to be presented. Upon vote, the motion carried.

Discussion on dates for Council meetings for the months of October 2007 through January 2008.

Mayor Riley and Council discussed the calendar for upcoming Council meetings. Mayor Riley announced that the first meeting in October will begin with a workshop at 5:30 p.m. on storm water. The Council recommended that the first meeting in November 2007 be moved to Monday, November 5, 2007 and that the Special Meeting be held on November 15th for canvassing the election and for Council to consider a resolution if the tax measure passes. Mayor Riley announced that there would be an executive session at 5:30 p.m. at the beginning of the first meeting in December. Council made no recommendations for any changes to meeting dates for January 2008.

City Manager's report.

Financial Report for August 2007

City Accountant Wallace reported on the status of the revenue and expenses for the month of August 2007. She pointed out that sales tax received in October and November, that was collected by businesses in before September 30, 2007, will be booked back to FY 2007 accounts receivables. She reminded Council that the funds are encumbered, under the FY 2007 budget, for the ambulance, but if it is not delivered before September 30, 2007, a budget adjustment will be brought to Council in October. She stated that the water revenue was lower than anticipated this year due to heavier than normal rainfall this year. She also stated that the revenue from the Community Center and Conference Center was higher than originally budgeted. Mayor Riley asked

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what the fund balance was estimated to be for the end of the fiscal year. Ms. Wallace indicated that she would have not have the balance until after all the franchise fees and other income and expenditures were accounted for, perhaps into the middle of November.

City Manager Lambert reminded everyone of the ribbon cutting on Saturday at 10:00 a.m. at the Raymond Rimkus Park for the adaptive playground. He also reported that staff is working on details to answer Council about the question of expense to the City if they should decide to enter into an agreement with the Forest Oaks Community Association in the future. Mr. Lambert asked Council to review the proposed job description for the Economic Development Director's position in preparation for the upcoming recruitment drive.

Citizens to be heard.

None.

Announcements.

Councilmember Baldrige asked that the Economic Development connection on the City Hall phone system be moved to the beginning of the phone message announcement.

Councilmember Manea questioned the cost quoted recently for TXDOT to remove a traffic signal.

Mayor Riley thanked Chief Lee and staff for their work with a full scale exercise on September 6th. She also thanked Chief Irwin and the Fire Department for their work on the Calypso Apartment fire over the weekend. Chief Irwin informed the Mayor that several other cities also helped in that fire and thanked them for their assistance.

Mayor Riley stated that the Earthwise Living Committee was putting together a "do's and don'ts list" for recycling to put in the Lion's Roar. Melinda Smith confirmed that the deadline was October 1, 2007 for items to be included in the newsletter.

Adjourn.

A motion was made by Councilman Reyna, seconded by Councilmember Baldrige, to adjourn. Upon vote, Mayor Riley announced the meeting was adjourned at 9:35 p.m. and she reminded everyone of the next meeting to be held at 5:30 p.m. on October 2, 2007.

ATTEST:

Chris Riley
Mayor

Marie Feutz
City Secretary

Approved by vote of City Council at the Regular City Council Meeting of October 2, 2007.